



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,912	07/08/2003	Daniel E. Patridge	MDR0002/US	7887

7590 08/07/2007
Michael A. Hakamaki
KAGAN BINDER, PLLC
Maple Island Building, Suite 200
221 Main Street North
Stillwater, MN 55082

EXAMINER

HALE, ADAM G

ART UNIT	PAPER NUMBER
----------	--------------

3609

MAIL DATE	DELIVERY MODE
-----------	---------------

08/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/614,912

Applicant(s)

PATRIDGE, DANIEL E.

Examiner

Adam G. Hale

Art Unit

3609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/27/2003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections - 37 CFR 1.75

1. Claim 8 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.
2. Claims 7 and 8 depend on Claim 2. Claims 7 and 8 are verbatim duplicates. Therefore, claim 8 fails to further limit the claimed subject matter as stated in claim 2.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-9, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seery (US 4,914,844) in view of Blinn et al. (US 5,897,622).

6. The patent to Seery discloses a door with a rectangular frame 16 of inwardly facing channels 24 embracing upper 32 and lower 34 panels of relatively rigid material capable of serving as a bulletin board. Seery does not disclose a method of providing a product line of doors having at least one option including of one of the working surfaces or receiving an order wherein the order includes selection of at least one door and a selection of at least one option. The patent to Blinn discloses a system for online shopping and merchandising including: a dynamic page generator, a configurable order processing module and a database module capable of retrieving data from the database without regard to its schema (see Abstract). Blinn further discloses receiving an order selected from multiple product options (see Fig. 7). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the door of Seery to customers through the use of the internet and customer selectable options for different materials and configurations in view of the teaching of Blinn et al. in order to enable a customer to select the door(s) with multiple options in the form of different working surfaces over the internet.

7. With respect to the method claims 2-8, Seery as modified by Blinn et al. inherently renders obvious the method steps claimed as it would have been obvious to a person of ordinary skill in the art at the time the invention was made to manufacture the door with a customer selectable set of available sizes, mounting configurations and

Art Unit: 3609

materials for the working surfaces in order to meet customer tastes and needs for new and/or replacement doors.

8. With respect to claims 9, 11 and 13; The patent to Seery discloses a door with a rectangular frame 16 of inwardly facing channels 24 embracing upper 32 and lower 34 panels of relatively rigid material capable of serving as a bulletin board for attachment to a typical door mounted on hinges 12. Seery does not disclose a method of making marketing information available to customers concerning a set of available options for the doors. The specification of the instant application does not define the term "marketing". Marketing is defined as "The act or process of buying and selling in a market." The American Heritage Dictionary of the English Language, Fourth Edition. Houghton Mifflin Company, 2004. Users of the system disclosed in Blinn et al. must have been inherently notified of the opportunity to buy and sell in the market for products. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the door comprised of a bulletin board material of Seery to customers through the use of marketing inherently disclosed in the teaching of Blinn et al. in order to get the product exposure to as many people as possible to generate customer interest and potential sales.

9. Claims 1-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seery in view of the publication "Approaches to Web-Enabled Customer Decision Support" Communications of the ACM, March 2002, Vol. 45 Issue 3, p68-69. The patent to Seery discloses a door with a rectangular frame 16 of inwardly facing channels 24 embracing upper 32 and lower 34 panels of relatively rigid material capable of

serving as a bulletin board for attachment to a typical door mounted on hinges 12.

Seery does not disclose a method of providing a product line of doors having at least one option including of one of the working surfaces or receiving an order wherein the order includes selection of at least one door and a selection of at least one option. The Communications of the ACM publication teaches the ability of users or customers to "specify the needed product attributes and options while the system guides the purchase process to feasible solutions" (See page 69). The publication goes on to describe how this is accomplished through the use of drop-down lists of options that are accompanied by hypertext explanations of product features. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the door comprised of a bulletin board material of Seery to customers for sale thereof in view of the teaching of ACM through the use of the Internet and the features of allowing a customer to select available product options.

10. With respect to the method claims 2-8, Seery, as modified by the Communications of the ACM publication inherently renders obvious the method steps claimed as it would have been obvious to a person skilled in the art at the time the invention was made to manufacture the door with a customer selectable set of available sizes, mounting configurations and materials for the working surfaces in order to meet customer tastes and needs for new and/or replacement doors.

11. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seery (US 4,914,844). The patent to Seery discloses a door with a rectangular frame 16 of inwardly facing channels 24 embracing upper 32 and lower 34 panels of

relatively rigid material capable of serving as a bulletin board for attachment to a typical door mounted on hinges 12. Claims 10 and 12 of the instant application are directed to a product line of doors and a cooperative set of working surface panels wherein each door has a surface for receiving at least one working surface panel. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a product line of doors, and not just a single door as claimed in Seery in order to meet customer tastes and needs for new and/or replacement doors.

12. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gagne et al. (US 5,568,713). The patent to Gagne et al. discloses a door with a recess for accepting a mirror seated therein (See Claim 1). Claims 10 and 12 of the instant application are directed to a set of doors and a cooperative set of working surface panels wherein each door has a surface for receiving at least one working surface panel. The specification of the instant application defines working surface as "including, but not limited to, a white board or marker board, corkboard, pushpin board, chalkboard or mirror." (See Specification, p. 4, lines 6-7). It would have been obvious to a person skilled in the art at the time the invention was made to provide a product line of doors, and not just a single door as claimed in Gagne in order to meet customer needs for new and/or replacement doors.

Conclusion

Art Unit: 3609

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patent to Murray et al. (US 5,829,218) shows a mirrored door, with said mirror being recessed into the face of said door.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam G. Hale whose telephone number is 571-270-3509. The examiner can normally be reached on Monday through Thursday 7:30 - 5:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AGH
7/30/07

Application/Control Number: 10/614,912

Art Unit: 3609

Page 8



Handwritten signature of Terrence R. Till in black ink.

Terrence R. Till
Supervisory Patent Examiner